

Box 562

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UTILITY PATENT APPLICATION TRANSMITTAL		Attorney Docket No. A34638-PCT-USA-I (072667.0189)	
(Only for new nonprovisional applications under 37 CFR 1.53(b))		First Inventor Fritig	
		Title "INDUCIBLE COMTII * see attached	
		Express Mail Label No. EV343637022US	
APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>		ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231	
<div>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <small>(Submit an original and a duplicate for fee processing)</small></div> <div>2. <input type="checkbox"/> Applicant claims small entity status. <small>See 37 CFR 1.27.</small></div> <div>3. <input checked="" type="checkbox"/> Specification [Total Pages 70] <small>(preferred arrangement set forth below)</small><ul style="list-style-type: none">- Descriptive title of the invention- Cross Reference to Related Applications- Statement Regarding Fed sponsored R & D- Reference to sequence listing, a table, or a computer program listing appendix- Background of the Invention- Brief Summary of the Invention- Brief Description of the Drawings (if filed)- Detailed Description<div><input checked="" type="checkbox"/> Claim(s) [Total Sheets 6]</div><div><input checked="" type="checkbox"/> Abstract of the Disclosure [Total Sheets 1]</div></div> <div>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 5]</div> <div>5. Oath or Declaration [Total Pages 3]<div>a. <input type="checkbox"/> Newly executed (original or copy)</div><div>b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) <small>(for continuation/divisional with Box 18 completed)</small></div><div>i. <input type="checkbox"/> DELETION OF INVENTOR(S) <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</small></div></div> <div>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</div>		<div>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</div> <div>8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)<div>a. <input checked="" type="checkbox"/> Computer Readable Form (CRF)</div><div>b. Specification Sequence Listing on:<div>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</div><div>ii. <input checked="" type="checkbox"/> paper</div></div><div>c. <input checked="" type="checkbox"/> Statements verifying identity of above copies</div></div>	

10/633840



FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 898

Compleat if Known

Application Number	Not Yet Assigned
Filing Date	August 4, 2003
First Named Inventor	Fritig
Examiner Name	Not Yet Assigned
Group Art Unit	Not Yet Assigned
Attorney Docket No.	A34638-PCT-USA-I (072667.0189)

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **02-4377**

Deposit Account Name **Baker Botts LLP**

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
750	375	Utility filing fee	750
330	165	Design filing fee	
520	260	Plant filing fee	
750	375	Reissue filing fee	
160	80	Provisional filing fee	

SUBTOTAL (1) (\$ 750

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
26	20 ** = 6	18	108
Independent Claims	1	3 ** = 0	0
Multiple Dependent		0	0

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description
18	9	Claims in excess of 20
84	42	Independent claims in excess of 3
280	140	Multiple dependent claim, if not paid
84	42	** Reissue independent claims over original patent
18	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 108

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	For filing a request for ex parte reexamination	
920*	920*	Requesting publication of SIR prior to Examiner action	
1,840*	1,840*	Requesting publication of SIR after Examiner action	
110	55	Extension for reply within first month	
410	205	Extension for reply within second month	
930	465	Extension for reply within third month	
1,450	725	Extension for reply within fourth month	
1,970	985	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	
280	140	Request for oral hearing	
1,510	1,510	Petition to institute a public use proceeding	
110	55	Petition to revive - unavoidable	
1,300	650	Petition to revive - unintentional	
1,300	650	Utility issue fee (or reissue)	
470	235	Design issue fee	
630	315	Plant issue fee	
130	130	Petitions to the Commissioner	
50	50	Processing fee under 37 CFR 1.17(q)	
180	180	Submission of Information Disclosure Stmt	
40	40	Recording each patent assignment per property (times number of properties)	40
750	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
750	375	For each additional invention to be examined (37 CFR § 1.129(b))	
750	375	Request for Continued Examination (RCE)	
900	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 40

SUBMITTED BY

Name (Print/Type)	Rochelle K. Seide	Registration No. (Attorney/Agent)	32,300	Telephone	212-408-2626
Signature	<i>Rochelle K. Seide</i>	Date	August 4, 2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Addendum Sheet 1***Question 4 Addendum**

4.a. Drawings are ☐ formal ☒ informal

*** Question 5 Addendum**

5.c. ☐ An unsigned oath or declaration is included.

*** Question 8 Addendum**

8.d. ☐ A sequence submission will follow.

*** Question 9 Addendum**

9.a. ☐ Assignment documents will follow.

9.b. ☒ Assignment documents have been filed in
parent application No. 09/937,204 and recorded at Reel/Frame No. 012518/0730

*** Question 11 Addendum**

11.a. ☐ English translation will follow.

*** Question 12 Addendum**

12.a. ☒ Copies of IDS citations will follow.

*** Question 15 Addendum**

15.a. ☐ Certified copies of priority documents will follow.

15.b. ☐ Certified copies of priority documents have been filed in parent
application No.

Use the space below for additional information

Inventors - Bernard Fritig, Valerie Toquin, Pierrette Geoffroy, Michel Legrand, Serge Kauffmann

Title (continued):

"INDUCIBLE COMTII PROMOTER, CHIMERA GENE CONTAINING SAME AND
TRANSFORMED PLANTS"

Addendum Sheet 2

18a. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/937,204
Prior application information: Examiner: Ibrahim, Medina Group Art Unit: 1638

18b. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____
Prior application information: Examiner: _____ Group Art Unit: _____

18c. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____
Prior application information: Examiner: _____ Group Art Unit: _____

☐ Amend the specification by inserting before the first line the sentence(s)

☐ "This application is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:

☐ "This application is based upon:

prior application No.: _____, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:

☐ which is based upon:

prior application No.: _____, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:

☐ which is based upon:

prior application No.: _____, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:

☐ which is based upon:

prior application No.: _____, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:

☐ which is based upon:

prior application No.: _____, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:

☐ which is based upon:

prior application No.: _____, incorporated by reference herein

Priority under 35 U.S.C. §119 is claimed based upon the following applications.

Foreign Applications:

Country: _____	Serial No: _____	Filing Date: _____
Country: _____	Serial No: _____	Filing Date: _____
Country: _____	Serial No: _____	Filing Date: _____

Provisional Applications:

Serial No: _____	Filing Date: _____
Serial No: _____	Filing Date: _____
Serial No: _____	Filing Date: _____

CERTIFICATION UNDER 37 C.F.R. 1.8(a) OR 1.10*

(When using Express Mail, the Express Mail label number is mandatory; Express Mail Certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☐ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231.

37 C.F.R. 1.8(a)

☐ with sufficient postage as first class mail.

37 C.F.R. 1.10*

☒ as "Express Mail Post Office to Address"
Mailing Label No. EV343637022US - (mandatory)

Rochelle K. Seide
Signature

Date: August 4, 2003

Rochelle K. Seide

(type or print name of person certifying)

***WARNING:** Each paper of fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing 37 C.F.R. 1.10(b).
"Since the filing of correspondence under § 1.10 without the Express Mail label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition. "Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.